



Claims 13-29 are in the case and presented for consideration.

The applicant thanks the examiner for the telephone interview of June 26, 2003.

During that interview, the examiner indicated that a claim similar to original independent claim 3, but limited to a layer of the protection layer system being substoichiometric silicon oxide would probably be patentable and further that the examiner had not considered the patentability question if that layer were simply silicon oxinitride (with no reference as to its stoichiometric nature).

Newly presented claim 13 substantially follows the pattern of canceled claim 3, but retains the possibility of the at least one layer of the protection layer system as being either silicon oxinitride (no reference to its stoichiometric characteristic) or substoichiometric silicon oxide, or both.

Claim 28 has been added to require this layer to in fact be the substoichiometric silicon oxide while new claim 29 requires this layer to be silicon oxinitride.

It is noted that according to the applicant, silicon oxinitride is  $\text{SiO}_x\text{N}_y$ . The ratio of x:y may be selected as desired. Therefore, a stoichiometric feature is in fact not defined. The term "substoichiometric" is meant to apply only to the silicon oxide material in claim 1 and in claim 28.

Turning now to the official action, correction has been made to the specification at page 14 as required by the examiner and newly presented claims have been drafted in order to avoid the other formal objections raised by the examiner against previous claims.

In particular, the alternate language has been eliminated where inappropriate and only a single range of parameters is provided in each claim rather than calling for different

ranges within the same claim.

The examiner's rejection of the formerly presented claims as being obvious from a combination of the prior art have also been carefully considered and it is believed that claims 13-29 now presented are patentable over the prior art taken separately or in combination and that the application and claims are in condition for allowance.

The examiner is respectfully invited to telephone the undersigned if any matters remain which can be treated by telephone interview in the interest of reaching a conclusion to the prosecution of this case.

The undersigned in particular thanks the examiner for his prompt and helpful attention to this case in granting and conducting the telephone interview.

Respectfully submitted,



Peter C. Michalos  
Reg. No. 28,643  
Attorney for Applicants  
(845) 359-7700

Dated: June 26, 2003

**NOTARO & MICHALOS P.C.**  
100 Dutch Hill Road, Suite 110  
Orangeburg, New York 10962-2100

PCM:kat  
Enc.